

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, James A. Sutphin, having been duly sworn state the following:

1. I am a police officer with the Toledo Police Department (TPD) and have been since 2012. Since September 2018, I have been assigned as a Task Force Officer (TFO) to the FBI's Safe Streets Task Force and am also attached to the Toledo Metro Drug Task Force. Prior to my current assignment, I was assigned to the Toledo Police Gang Task Force. I have participated in investigations which led to the arrest and conviction of narcotics dealers and other violent criminals. As a TFO, I am authorized by law to investigate and make arrests for violations of federal law under both Title 18 and Title 21 of the United States Code.
2. This affidavit is in support of a criminal complaint against Hershel WINBUSH. My knowledge of this investigation is based upon my own personal observations, as well as the observations and investigation conducted by other members of the FBI, and the Toledo Police Department.
3. Because this affidavit is being submitted for the limited purpose of supporting a Criminal Complaint, I have not included each and every fact known concerning this investigation. I have set forth only the facts I believe necessary to establish probable cause that WINBUSH has committed three (3) counts of Bank Robbery, October 24, 2019, April 8, 2024, and April 22, 2024 in violation of 18 U.S.C. §§ 2113(a).
4. On October 24, 2019 at approximately 1:43 p.m., the Woodforest Bank inside the Walmart store located on Glendale Ave was robbed. Subsequent to the robbery, Agents and TFOs from the FBI as well as members of the Toledo Police Department responded to the location. During an interview, Victim Teller #1 advised that an unknown subject (UNSUB) approached her and provided a demand note. On the date of the robbery, Victim Teller #1

recalled the note reading “I have a gun, and give me all of the cash available.” Upon examining the surveillance video from the store the suspect could be seen as an older black male wearing a heavy coat, knit hat, and dark colored sunglasses.

5. On November 5, 2019, the Woodforest Bank inside the Walmart on Glendale Ave. was again robbed by an UNSUB. Agents and TFOs from the FBI as well as members of the Toledo Police Department responded to the location. Upon arriving at the bank, Victim Teller #2 was interviewed. Victim Teller #2 advised that the UNSUB was wearing a tan jacket, green and tan knit hat, sunglasses, and vinyl gloves. Victim Teller #2 also indicated that the male that robbed the bank on this date was the same male that robbed the bank on October 24, 2019. Victim Teller #2 advised that she was provided a demand note by the UNSUB and recalled it demanding all the money in the drawer, no GPS, and no dye packs. The UNSUB took the note with him before fleeing the bank.
6. Victim Teller #3 was also interviewed and described the UNSUB to have rough skin as if he had razor bumps.
7. Security Guard #1 was working at the bank on the captioned date as a security guard. Security Guard #1 advised that he observed the UNSUB enter the bank but assumed he was a customer. After being told of the robbery by a teller, Security Guard #1 followed the UNSUB out of the bank and watched him exit the Pharmacy exit. Security Guard #1 described the UNSUB as a black male, approximately 6’ tall, 160-170 lbs., approximately 40-50 years old, wearing a tan/green cap, tan/brown Dickie pants, tan work boots, and a tan jacket that was open.
8. During the course of the investigation, an anonymous Crime Stopper tips were called in to the Toledo Police Detective Bureau. One or more tips advised that that the male that robbed

the bank on November 5, 2019 was WINBUSH. It should be noted that WINBUSH was not in the custody of law enforcement during the bank robberies on October 24, 2019, or November 5, 2019.

9. On January 14, 2020, the undersigned and SA Matthew Meyer interviewed WINBUSH at the Correction Center of Northwest Ohio (CCNO) where he was in custody on unrelated crimes. WINBUSH verbally and in writing was advised of his Miranda Rights. WINBUSH then advised he would not answer any questions and the interview was concluded. It should be noted that WINBUSH was not in the custody of law enforcement during the bank robberies on October 24, 2019, or November 5, 2019.
10. On Monday April 8, 2024, the FBI Safe Streets and Violent Crime Task Force were notified that the Jeep Country FCU located on E. Manhattan Blvd. had been robbed. Agents and TFOs from the FBI as well as the Toledo Police Department responded to the location. Upon law enforcements arrival, the victim teller, Victim Teller #4 advised that an UNSUB approached her with a demand note to rob the bank. Victim Teller #4 described the UNSUB as a black male with medium complexion, approximately 50-60 yrs. old, approximately 5'10"-6'00" tall, medium build, scruffy/patchy facial hair, gray/black hair, a long denim shirt, and blue jeans. The note used on this date read "Look, this a hold up, I have a gun so start off with big bills, no dye packs, don't push any buttons until I'm long gone. No tracking device."
11. During the course of the investigation on that day, it was determined that upon fleeing the bank the UNSUB fled across Manhattan Blvd. into a neighborhood onto Polk Place. Law enforcement that had been canvassing the area spoke with a witness whom advised they were outside cutting the grass and observed a male matching the description of the bank robber.

The witness advised the UNSUB removed his shirt and his gloves and discarded them onto the ground. Law enforcement located a dark blue glove on the sidewalk in front of a residence on Polk Place, and then a second glove at a residence on Polk Place. Additionally, a blue shirt was located at the same residence.

12. On April 10, 2024, a crime stopper tip was called in that advised WINBUSH was the bank robber from the Jeep County FCU. Upon reviewing recent Toledo Police Reports, it was determined that WINBUSH has been utilizing a residence on Booth Ave. where it appeared he was living with his girlfriend. It was found that the residence on Booth Ave. was approximately 0.6 miles from the Jeep Country FCU located at on E. Manhattan Blvd and furthermore in the same direction as the UNSUB fled from the bank after the robbery days prior. Upon conducting surveillance of the location on April 11, 2024, the undersigned identified a white Ford Edge as well as a white Hyundai Tiburon parked at the location. Both vehicles were parked in a manner that the license plates were not visible.
13. On April 15, 2024, the undersigned conducted surveillance of the residence on Booth Ave. and identified the white Hyundai Tiburon parked at the location.
14. On April 22, 2024, the Key Bank located on Secor Rd. was robbed. Upon entering the bank it was found that the UNSUB approached the victim teller Victim Teller #5 and provided a demand note which read, "This is a hold up. I have a gun. No dye packs. Start with big bills. Do not press no buttons until I out." Victim Teller #5 described the UNSUB as a black male, wearing black latex gloves, and had on a blue suit jacked at pants. She also advised he was missing his two (2) front teeth. She advised that she gave the UNSUB the cash from the top drawer and after receiving the cash he fled the bank. Victim Teller #5 did supply the UNSUB with bait money that included a GPS tracking device.

15. Upon leaving the bank, Toledo Police Officers were being dispatched the location of the GPS device. Toledo Police Officers were successfully able to locate a vehicle with an occupant matching the description of the UNSUB that robbed the Key Bank on Secor Rd. At that time law enforcement conducted an investigatory stop of the vehicle. It should be noted that the vehicle stopped was a white Hyundai Tiburon bearing the same Ohio registration as the one surveilled. While waiting for backup to remove the UNSUB, he chugged a small bottle of alcohol and advised law enforcement "I won't give you no problems." During a search of his person, the male had a large sum of cash on his person. The UNSUB also advised law enforcement "I understand why I'm being detained but she (driver) did not know anything and I put that money in her purse." Ultimately, the male was identified as WINBUSH. The undersigned was on scene during the stop and subsequent events.
16. Subsequent to the arrest, the undersigned, as well as SA Mark Evans and SA Ryan DeMary interviewed WINBUSH at the Toledo Police Safety Building. WINBUSH was read his Miranda Rights which he acknowledged he understood and then signed the acknowledgement.
17. WINBUSH advised that on the captioned date he robbed a bank. WINBUSH advised that he had his fiancé park approximately three (3) blocks away. He advised that she was driving a white two (2) door sports car/coupe. He advised that he told her where to park, exited the vehicle and told her not to leave until he got back. WINBUSH advised that his fiancé had no idea what he was going to do or that he was going to go rob a bank. WINBUSH advised that he often steals goods from Home Depot stores. WINBUSH's fiancé was interviewed and advised that when WINBUSH went into the bank on the captioned date he was wearing all powder blue clothing with a hair piece that was fake braids. He advised that after leaving the

bank he discarded all the clothing. He advised that he put clothing behind the bank in the dumpster. WINBUSH advised that the clothing he was wearing during the interview was on underneath the clothing he wore at the robbery. WINBUSH advised that the note was written the night prior. He advised that he had someone else right the note at an apartment complex and that he gave him or her \$20 worth of crack to write the note.

18. WINBUSH then advised that he robbed the credit union on April 8, 2024 at 11:30.

WINBUSH advised that after leaving the credit union he walked straight across the main street, then turned to the left and walked straight up the alley to his residence on Booth Ave. and walked into the back door. WINBUSH advised that his fiancé was unaware of the bank robbery on April 8, 2024, as well. WINBUSH could not recall what he was wearing but did advise that he took off the clothing he was wearing and discarded it on his walk. He described that he used a note to rob the bank. WINBUSH advised that he did not have a gun. He also advised that he was wearing a fanny pack to put the money in. WINBUSH estimated that he stole approximately \$6500 on that date. WINBUSH advised that he also wore blue gloves during the robbery, which were obtained from Booth Ave.

19. WINBUSH advised that he recognized Agents from an interview conducted with him while he was in custody at CCNO in Stryker, Ohio. WINBUSH advised that it was in regard to a Bank Robbery at the Walmart on Glendale Ave. in Toledo, Ohio. WINBUSH advised that as of now he does not want to talk about that robbery. He then advised the interviewing agents that there were two (2) bank robberies at that location. When asked about the Bank Robberies again at the Glendale Walmart, WINBUSH advised "I robbed them" but he did not want to expound because he believes they are leverage for him. WINBUSH then became

emotional when describing his past and the trouble he has been having and was unable to continue the interview.

20. Your affiant is aware that on the dates of the robberies the Woodforest National Bank and Key Bank were federally insured through the Federal Deposit Insurance Corporation (FDIC) and the Jeep Country Federal Credit Union was federally insured by the National Credit Union Administration (NCUA). All are located in the Northern District of Ohio.
21. According to a check of the Michigan Courts on-line records search and federal criminal history, Hershel WINBUSH has the following convictions:
- A. Uttering and Publishing, Felony, 5/20/80, Case No.62773, sentenced 30 months -5 years in prison;
 - B. Controlled Substance Delivery/Manufacturing, Felony, 6/23/1988, Case No.88-39760-FH, sentenced 8 -20 years in prison;
 - C. Bank Robbery, 11/10/1998, Case No.1998-0000003492-FC, sentenced 10-30 years in prison;
 - D. Bank Robbery, 12/03/1998, Case No.1998-0000003606-FC, sentenced 10-60 years in prison;
 - E. Bank Robbery, 10/29/1998, 1:98CR197, sentenced to 60 months in prison and three (3) years supervision;
 - F. Robbery (Unarmed), Habitual Offender Fourth Offense, Case No.2015-D1501530-FY, sentenced 3-15 years in prison;
 - G. Carrying Concealed Weapons, Firearms – Possession by Felon, Felony Firearm, 3/24/2016, Case No.2016-0000039154-FH, sentenced 18 - 120 months in prison;

22. Based on the above facts and circumstances, it is the belief of your affiant that there is probable cause to believe that WINBUSH has committed three (3) violations of Bank Robbery, 18 U.S.C. §§ 2113(a).

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "DET. J. Sutphin".

James A. Sutphin
FBI Task Force Officer

Sworn to via telephone after submission by reliable electronic means. Fed. R. Crim. P. 3, 4(d), and 4.1. this 8th day of May, 2024.

A handwritten signature in black ink, appearing to read "Darrell A. Clay".

DARRELL A. CLAY
UNITED STATES MAGISTRATE JUDGE